

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FILED APR 11 2013

DAVID LOPEZ, : CIVIL ACTION  
Petitioner, :  
: :  
v. : :  
: :  
GERALD ROZUM, et al., : No. 12-2270  
Respondents. :  
:

ORDER

AND NOW, this 11th day of April, 2013, upon careful and independent consideration of the petition for a writ of habeas corpus, the response, the reply, and available state court records, and after review of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, it is ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The petition for a writ of habeas corpus is DENIED;
3. A certificate of appealability SHALL NOT issue, in that the Petitioner has not made a substantial showing of the denial of a constitutional right nor demonstrated that a reasonable jurist would debate the correctness of this ruling. See 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); and
4. The Clerk of the Court shall mark this case CLOSED for statistical purposes.

BY THE COURT:

  
HARVEY BARTLE, III

ENTERED  
APR 11 2013  
CLERK OF COURT